

This unprecedented consolidation has led to whole states, regions and entire industries becoming captive to a single railroad. This level of concentration and the lack of competition it has brought were never envisioned by Congress in the 1980 Act.

Over this same period the agency that administers rail law, the Surface Transportation Board, has produced rulings, which have skewed the freight rail market place to the point that it is now a Federally protected monopoly. Railroads are operating within the law, but that law is outdated given the current number of railroads and market conditions of the new century.

Mr. Speaker, as you may know, Louisiana industry is in dire straits. Every month companies announce closures, lay offs, and moves—depriving our economically struggling state of hundreds of important jobs. When these jobs are lost, so are the workers' pensions, salaries, and health benefits. When hundreds of jobs are lost, it affects other small businesses that rely on workers to keep them viable.

Though Louisiana industry faces many financial challenges, premier among them is the cost to do business—and aside from energy supply, the most expensive cost of business is the artificially inflated rates imposed on Louisiana companies that, through no fault of their own, exist under a railroad monopoly.

Mr. Speaker, this situation is not exclusive to Louisiana. It exists in West Virginia, North Dakota, Idaho, Georgia, Florida, Montana, Minnesota—in fact, Mr. Speaker, there is not a state in the union free from this blemish on the free enterprise system.

The bill we are introducing today will truly match the deregulation goals of the Staggers Act with the tried and true American tradition of a competitive free market.

Our bill takes deregulation to a higher level by fortifying healthy market competition. The bill would remove artificial protections maintained by an outdated policy which allows freight railroads to operate in an atmosphere which no other business in the country enjoys—including exemption from anti-trust law.

Mr. Speaker, I urge all pro-market, pro-consumer, pro-deregulation, pro-fairness, pro-jobs, pro-economy, pro-transportation, and pro-railroad Members to join me in completing the deregulation goals of the Staggers Act of 1980 by cosponsoring the Railroad Competition Act of 2003.

THE RAILROAD COMPETITION ACT OF 2003

Clarification of National Rail Policy: Clarifies that the STB has the following primary objectives: (1) ensuring effective competition among rail carriers at origins and destinations; (2) maintaining reasonable rates in the absence of effective competition; (3) maintaining consistent and efficient rail transportation service for rail shippers, including the timely provision of rail cars; and (4) ensuring that small carload and intermodal shippers are not precluded from accessing the rail system.

Requirement that Railroads Must Quote Rates to Their Customers: In order to increase rail customer access to competition, railroads must quote rates between any two points on their systems where freight movements can originate, terminate or be transferred, when requested by the customer.

Arbitration of Certain Rail Rate, Service and Other Disputes: Provides final offer arbitration (baseball arbitration), at the choice of the non-rail party to a dispute, for all rail rate matters and other disputes at the STB involving a railroad charge.

Removal of "Paper Barriers": Prohibits including paper barriers in future sales or leases of rail line to short line or regional railroads and allows the STB to invalidate such provisions that have been in existence for 10 years.

Removal of "Anti-Competitive Conduct" Test from Terminal Area and Switching Agreements Policy of ICC/STB: Changes the "antitrust" test added in mid-1980s by the former Interstate Commerce Commission to the statutory "public interest" test included in the terminal area and switching agreement provisions of the ICC Termination Act.

Tri-Annual DOT Study of Extent of Rail-to-Rail Competition.

Areas of Inadequate Rail Competition: On petition of a state, the STB may declare all or part of a state to be an area of inadequate rail competition. Special rail customer remedies apply in such areas.

Rail Customer Advocacy Office Established at Department of Agriculture.

THE HORN IN PERIL

HON. GREGORY W. MEEKS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, July 25, 2003

Mr. MEEKS of New York. Mr. Speaker, I submit the following document for the CONGRESSIONAL RECORD.

[From the Financial Times, June 17, 2003]

THE HORN IN PERIL

When is a "final and binding" decision reached by a neutral body of legal experts open to negotiation? The international community is facing this question in the Horn of Africa, where the regional giant Ethiopia has rejected as "unacceptable" a Border Commission ruling on its border with tiny Eritrea.

The outside world was appalled when two of Africa's poorest countries went to war in 1998. It heaved a sigh of relief when both governments agreed, after losing at least 70,000 lives, to submit their frontier to international arbitration. But Ethiopia's rejection of the unanimous decision reached by a Border Commission sitting in The Hague has raised the prospect of, at worst, a new war and, at best, an indefinite stand-off.

External donors sympathise with the tricky position in which the ruling places Meles Zenawi, Ethiopia's prime minister. Undermined by hardliners in his own party, Mr. Meles is also resented by ordinary Ethiopians who have never accepted the independence of Eritrea, their former coastal province. Foreign governments know that losing Badme, the settlement that was the flashpoint for the war, represents a symbolic humiliation for the prime minister. They also nurse a certain distaste for an authoritarian Eritrean government that has jailed domestic dissenters and closed down the private press.

But if international arbitration were easy for losing parties to swallow, wars would never occur in the first place. If the Border Commission's decision on Badme were to go unenforced, Eritrea could reconsider its prompt pull-out from the contested Greater Hanih Island, allotted by an international court to Yemen in 1998. Nigeria could continue to defy the International Court of Justice's ruling last year that the oil-rich Bakassi Peninsula belongs to Cameroon. "Might is right" must not become the deciding principle in territorial disputes across Africa, where so many colonial borders cut across cultural and ethnic lines.

Ethiopia's rejection comes at a time when both countries are appealing for millions of dollars in food aid to alleviate a four-year drought. The failure to settle the border dispute will not come cheap. Maintaining a 4,000 strong United Nations buffer force has already cost about \$500m (euro 420m), which could have been better spent feeding starving rural families.

Donor countries cannot sit idly by while positions harden to a point where future compromise becomes impossible. While there is an understandable reluctance to use humanitarian aid as a bargaining chip, they should leave Ethiopia in no doubt that longer-term development aid is at risk. And they should firmly spell out this link before Ethiopia's ruling party conference takes place this autumn, when Mr. Meles risks being boxed in by the impassioned nationalistic rhetoric of his colleagues. There is far more at stake here than the relationship between Ethiopia and Eritrea.

COMMENDING THE JAPANESE AMERICAN NATIONAL BOWLING ASSOCIATION

HON. MICHAEL M. HONDA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 25, 2003

Mr. HONDA. Mr. Speaker, I rise today to recognize the Japanese American National Bowling Association (JANBA). From its noble inception to oppose discrimination after World War II, JANBA continues to be a forum for social interaction and friendly competition for its thousands of members throughout the United States.

After internment in World War II, Japanese Americans trying to return to a life of normalcy discovered bowling as an engaging social pursuit. The sport quickly became a popular pastime with many joining bowling leagues and competitions. However, a restriction against Japanese Americans on the national stage was quickly realized.

In 1947, Mr. Rokuro "Fuzzy" Shimada was planning to bowl in a Santa Clara bowling league. However, he was denied acceptance due to the league's "whites only" membership policy set by the American Bowling Congress (ABC). In objection, the National Japanese American Citizens League (JACL) Nisei Bowling Tournament was birthed later that year. The selected venue was Salt Lake City, Utah, the headquarters of the National JACL at that time. Despite its inaugural year, the tournament was able to attract nearly 300 participants.

Admirably, Mr. "Fuzzy" Shimada was inducted into the ABC Hall of Fame as a Pioneer in 1997, after the discriminatory rules were absolved in 1951.

From 1947 to 1973, the National JACL Nisei Bowling Tournament was held annually at multiple locations across the United States. Then in 1974, the Japanese American National Bowling Association was spawned when it was agreed by the JACL Advisory Board of Bowling to form a separate organization from the JACL. Mr. Ozzie Shimada acted as the president pro tem for the first year.

The Annual JANBA Tournament has continued its heralded traditions passed down from the JACL. Recently, the 2003 JANBA tournament was held in San Francisco. Over 800 men and women bowlers of all ages enjoyed